

VZCZCXRO7173  
RR RUEHAST RUEHBI RUEHCI RUEHLH RUEHLN RUEHNEH RUEHPW RUEHVK RUEHYG  
DE RUEHDBU #1380 3150839  
ZNR UUUUU ZZH  
R 100839Z NOV 08  
FM AMEMBASSY DUSHANBE  
TO RUEHC/SECSTATE WASHDC 1127  
INFO RUCNCLS/SOUTH AND CENTRAL ASIA COLLECTIVE  
RUEAIIA/CIA WASHDC 0189  
RUCNCIS/CIS COLLECTIVE  
RUEAWJA/DEPARTMENT OF JUSTICE WASHINGTON DC

UNCLAS DUSHANBE 001380

SENSITIVE  
SIPDIS

STATE FOR INL/AEE (BUHLER)  
JUSTICE (DUCOT AND NEWCOMBE)  
DEFENSE FOR OSD/P

E.O. 12958: N/A  
TAGS: [SNAR](#) [KJUS](#) [KCRM](#) [PGOV](#) [TI](#)  
SUBJECT: TAJIKS WANT BETTER LAWS; U.S. ROLE UNCLEAR

[1](#)1. (U) Summary: EmbOffs met with two of President Rahmon's legal advisors, Sodik Ashurovich Shohnazarov and Umed Boboev, to discuss areas of collaboration in reform of the justice sector. Tajik officials recognize the need to reform the country's legal infrastructure, and will establish a legislative institute to improve the quality of parliamentary legislation. Officials will continue to redraft criminal justice legislation. The degree to which officials will allow U.S. assistance in these efforts remains to be seen. End summary.

[1](#)2. (SBU) President Rahmon called for a Legislative Institute in his annual speech to parliament this year. The goal of the Institute is to eliminate contradictory laws, improve the quality of new laws, and bring Tajik legislation into compliance with international treaties signed by Tajikistan. Shohnazarov said the Presidential Administration was developing the Institute's regulations and procedures, and that all preparatory work should be completed by the end of 2008. Shohnazarov thought the Institute would be supervised by the Ministry of Justice, but report to the President and Parliament. The Institute would be staffed by lawyers, who would receive specialized training. IN response to proposals to assist in creating the Institute, Shohnazarov expressed fond memories of his participation in an American Bar Association program in the United States, but would not commit to specific actions.

[1](#)3. (SBU) Shohnazarov said the Presidential Administration created a working group to revise the Criminal Code, and he welcomed any assistance the U.S. could provide. The working group was headed by Zarif Alizoda, the State Advisor on Legal Affairs (and Shohnazarov's boss), who planned to submit a draft to parliament in six months. The reform of the Criminal Code followed a redrafting of the country's Criminal Procedure Code, which Shohnazarov said would be passed to Parliament by the end of the year.

[1](#)4. (SBU) U.S. Embassy is ready to support the Legislative Institute by training employees and providing legal experts. There are several avenues for support: if parliament would supervise the institute, programs involving the U.S. Congress are possibilities; if the U.S. Embassy provides training, the door could widen to include provision of equipment. EmbOffs encouraged Shohnazarov to consider allowing lawyers from the Institute to compete for INL-sponsored law school scholarships, which would provide a path to improved qualifications for the Institute.

[1](#)5. (SBU) Shohnazarov welcomed U.S. Embassy initiatives and noted that he worked with the American Bar Association in revising the Civil Procedure Code. EmbOffs cautioned that donors were wary of requests for assistance in criminal justice reform, since donors were essentially shut out of substantive discussions on the Criminal Procedure Code.

¶6. (SBU) Comment: We initially scheduled our meeting with State Advisor Alizoda, but met instead with his assistants after he left the country on a business trip. Neither Shohnazarov nor Boboev were in a position to make any agreements, and neither would commit to specific actions regarding the Legislative Institute. The international community was snubbed in the redrafting effort of the Criminal Procedure Code, and we are wary that officials will continue to keep us at arms length in ongoing justice reform efforts. However, in coordination with our international partners Qefforts. However, in coordination with our international partners we will continue to discuss these issues and offer assistance to persuade Tajik officials to move toward serious legal reform. End comment. JACOBSON